

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHAEL COREY HENDERSON

Plaintiff,

v.

Case No. 13-11503
Honorable Julian Abele Cook, Jr.

COMMISSIONER OF
SOCIAL SECURITY

Defendant.

AMENDED ORDER

This case involves a complaint by the Plaintiff, Michael Corey Henderson, who, in relying upon the authority of 42 U.S.C. § 405(g), has asked this Court to review a final decision by the Defendant, the Commissioner of the Social Security Administration (“Commissioner”). Thereafter, Henderson filed a motion for summary judgment pursuant to Federal Rule of Civil Procedure 56. The Commissioner likewise filed a motion for summary judgment. Both motions were forwarded by the Court to Magistrate Judge David R. Grand for evaluation. In a report on March 11, 2014, the Magistrate Judge recommended that the Commissioner’s Motion for Summary Judgment [12] be DENIED, Henderson’s Motion for Summary Judgment [11] be GRANTED IN PART to the extent it seeks remand and DENIED IN PART to the extent it seeks an award of benefits, and that, pursuant to sentence four of 42 U.S.C. §405(g), this case be REMANDED to the ALJ for further proceedings consistent with the Recommendation.

As of this date, neither party has expressed any objections to the Magistrate Judge’s

report and recommendation. The period of time for filing objections having now expired, this Court adopts the report, including the recommendations of the Magistrate Judge, in its entirety.

IT IS HEREBY ORDERED that the Defendant's Motion for Summary Judgment is denied, Plaintiff's Motion for Summary Judgment is granted in part to the extent it seeks remand and denied in part to the extent it seeks an award of benefits, and that, pursuant to sentence four of 42 U.S.C. §405(g), this case is REMANDED to the ALJ for further proceedings consistent with the Report and Recommendation.

IT IS SO ORDERED.

Date: August 5, 2014

s/Julian Abele Cook, Jr.
JULIAN ABELE COOK, JR.
U.S. District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Order was served upon counsel of record via the Court's ECF System to their respective email addresses or First Class U.S. mail to the non-ECF participants on August 5, 2014.

s/ Kay Doaks
Case Manager